

## **REMARKS**

In response to the Election Requirement dated September 7, 2006, Applicants elect, with traverse, Group 1: Claims 1-23. Applicants have amended claims 1-38. Finally, Applicants have added new claim 39 to depend from claim 24. None of these amendments occasion a change of inventorship.

The Examiner has made a Restriction Requirement between Claims 1-23 (Invention I) and Claims 24-38 (Invention II). The Examiner has stated that the inventions are distinct from each other because either the process as claimed can be used to make another and materially different product, or that the product as claimed can be made by another and materially different process (Restriction Requirement mailed September 7, 2006, p. 2). The Examiner asserts that "a layer having an electrical resistance can be selectively removed by etching instead of depositing." *Id.* Applicants respectfully disagree and traverse the restriction requirement.

The claims in Invention I or Invention II do not recite that a layer having an electrical resistance is removed, either by depositing or etching. Applicants cannot discern where the Examiner reads "selectively removing" a layer having an electrical resistance by "etching instead of depositing." In addition, claim 24 has been amended to recite, among other features, "providing a layer between the drain connections and the electrode electrically linking the drain connections to the electrode."

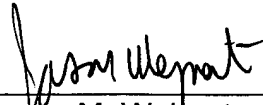
The Examiner has not provided any basis for asserting that Invention I and Invention II are independent or distinct. Therefore, the restriction requirement is improper, and Applicants respectfully request reconsideration under 37 C.F.R. 1.143 and withdrawal of the restriction requirement.

## **CONCLUSION**

For at least the reasons presented above, the Applicants respectfully submit that the pending claims are in condition for allowance. As required under 37 C.F.R. 1.143, Applicants elect, provisionally and under traverse, the claims of Invention I (1-23). Accordingly, Applicants request that a Notice of Allowance be issued in the present case.

The Examiner is respectfully requested to contact the undersigned in the event that a telephone interview would expedite consideration of the application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jason M. Wejnert", is written over a horizontal line.

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